

### **REMARKS**

Claims 1, 3-16 and 19-27, as amended herein, are currently pending in the present application. Claims 1, 3-16, 19-22 and 24-25 stand rejected. Claim 23 has been allowed. Claims 1, 16, 20 and 24 have been amended. Claims 2 and 17-18 have been previously cancelled without prejudice. Claims 26 and 27 are new, however they are supported by the specification and thus no new matter is added.

### **CLAIM REJECTIONS – 35 U.S.C. § 102**

Claims 1, 3-16, 19-22, 24 and 25 are rejected under 35 U.S.C. §102(b) as allegedly being anticipated by Bergholz (US Patent No. 4,479,621).

A section 102 rejection is proper only if each and every element as set forth in the claim is found-i.e., the prior art must teach every aspect of the claim. See *Verdegall Bros. v. Oil Co., of California*. 918 F.2d 628,631 (Fed. Cir. 1987; see also MPEP § 2131).

As for independent claims 1, 16, 20 and 24, the Examiner alleges that Bergholz teaches each and every element of the present invention, Applicants respectfully disagree. For example, claim 1 recites a combination including, among other things, "each intermediate element having a outer coupling piece and an inner coupling piece, the outer and inner coupling pieces are not coplaner." The Bergholz reference does not teach this feature of claim 1.

For example, on page 3 of the Office Action the Examiner alleges that the features 43 and 46 are the intermediate elements, however, as shown in FIG. 8 and FIG. 9, features 43 and 46 are simply plates and referred to as junction plates, see for

example column 6, lines 44 and 67. As such, each of the junction plates 46 and 43 are coplainer flat members. In contrast, claim 1 recites intermediate elements having inner and outer coupling pieces that are not coplainer. An example of the non-coplainer inner and outer coupling pieces may be shown for example in FIG. 12 present application. Because Bergholz does not teach or suggest all the features set forth in independent claim 1, the Applicant respectfully asserts that independent claim 1 and its dependent claims are patentable over Bergholz.

The Applicant notes that the independent claims 16, 20, and 24 recite language similar to that discussed and quoted above in respect to claim 1, therefore independent claims 16, 20 and 24 and their corresponding dependent claims are patentable for at least the same reasons as set forth above with respect to independent claim 1.

Dependent claims 3-15, 19, 21-22 and 25 all ultimately depend upon at least one of the above cited independent claims. Applicants also submits that the cited reference fails to teach or suggest many of the features recited by the dependent claims (as noted above), and, consequently, that these claims are independently allowable.

**Allowable Subject Matter**

The Applicant thanks the Examiner for finding the allowable subject matter in and allowing claim 23.

**CONCLUSION**

In the event this paper is not timely filed, Applicants petition for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 with reference to our Docket No. 59482.21840.

In view of the foregoing remarks, Applicants respectfully request that all the objections and rejections to the claims be removed and that the claims pass to allowance. If, for any reason, the Examiner disagrees, please call the undersigned at 202-861-1655 in an effort to resolve any matter still outstanding before issuing another action. The undersigned is confident that any issue which might remain can readily be worked out by telephone.

Respectfully submitted,

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